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HISTORIC LANDMARK COMMISSION MEETING MINUTES 2ND FLOOR ECONOMIC DEVELOPMENT CONFERENCE ROOM AUGUST 22, 2011 4:00 P.M.

The El Paso Historic Landmark Commission held a public hearing in the 2nd Floor Conference Room, 2nd Floor, City Hall Building, August 22, 2011, 4:00 p.m.

Chair Riccillo called the meeting to order at 4:08 p.m.

The following Commissioners were present:

Mr. Joe Riccillo, Chair

Mr. Hugo Gardea, Vice-Chair

Ms. Stephanie Fernandez

Mr. Joel Guzman

Mr. Ricardo Gonzalez

Mr. Randy Brock

Mr. Jim Booher (4:41)

Mr. David Berchelmann

The following City Staff were present:

Mr. Robert Almonte, City Attorney's Office, Assistant City Attorney

Ms. Providencia Velázquez, Planning, Historic Preservation Officer

Mr. Tony De La Cruz, Planning, Planner

I. CALL TO THE PUBLIC – PUBLIC COMMENT

None



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CHANGES TO THE AGENDA

Staff requested Commissioners skip over items 2., 4., and 5.

MOTION:

Motion made by Chair Riccillo, seconded by Commissioner Berchelmann and UNANIMOUSLY CARRIED TO APPROVE THE AGENDA SKIPPING THE OTHER ITEMS OTHER THAN ITEMS 1., 3., AND 6.

II. REGULAR AGENDA – DISCUSSION AND ACTION

1. Discussion and action regarding Administrative Review Guidelines.

Ms. Velazquez explained, per the recommendations submitted by Commissioner Guzman and Vice-Chair Gardea, Staff and Commissioners will review the Administrative Review Guidelines page by page.

PROPOSED CHANGES/RECOMMENDATIONS

1. PURPOSE

- **A.** Department/Location within City Hall Staff will revise department name and location throughout the document.
- **B.** Skylights

Currently, Staff has Administrative Review authority to approve $2' \times 2'$ in the rear façade, nothing in the front. Anything above $2' \times 2'$ must come before the HLC.

C. Installation of Windows Installation of Windows is addressed later in the Guidelines.

2. ENABLING LEGISLATION

Staff will update all references to the Code and Sections.



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3. PROCEDURES TO FOLLOW BY TYPE OF REQUEST

Regarding commercial property requests, Commissioner Booher would like to see it mandated that a licensed design professional, project architect, landscaper, etc., must be present at the HLC meeting.

4. HISTORIC LANDMARK COMMISSION REVIEW

(public hearing – 30 to 54 days)

- Historic Interiors changes, beyond normal maintenance, to the following public places:
 - 1. Camino Real Hotel: original lobby
 - 2. Cortez Building: lobby
 - 3. Plaza Theater: all interior
 - 4. State National Bank: all original interior
 - 5. Bassett Tower: lobby
 - 6. U.S. Downtown Post Office: public interior

Lengthy discussion amongst Staff and Commissioners whether or not the language should be deleted.

It was determined that the language would be not be deleted.

5. APPROVAL PROCESS FOR HISTORIC PRESERVATION (chart)

Instead of the word *denied*, Vice Chair Gardea suggested **uphold** instead to coincide with City Council recommendation language.

6. DOCUMENTATION REQUIREMENTS

Staff will revise department name and location throughout the document.



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7. APPEAL PROCESS

Commission Gonzalez wondered if individuals, neighbors, Neighborhood Associations should have the right to appeal.

FOR THE RECORD

Ms. Velazquez stated for the record that if Commissioners were to give anyone the power to appeal the Administrative Review Guidelines and Staff's decisions, Commissioners will create a lot of heartache not just for the property owners but for themselves as well. Commissioners will have several items at each public hearing which will take a considerable amount of time; as it is people already feel like their rights are being taken away. Furthermore, giving the neighbor across the street the right to appeal a decision, based on the Administrative Review Guidelines, will create a logiam of cases before the HLC.

Rather than mailing out notices, Commissioner Berchelmann proposed Staff post Administrative Review cases on the Historic Preservation webpage for public review.

Commissioner Gonzalez suggested an appeal would be authorized only if the individual appealing the decision specifically cites what guideline(s) was/were not followed; a specific violation of the guideline must be alleged for it to be a valid appeal. Following the submittal of the appeal, the appeal would be heard at the first HLC meeting afterward. Staff could require that the appeal be submitted within 10/15 days.

Chair Riccillo requested Commissioners and Staff leave the discussion for another time.

Commissioner Booher arrived.



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8. LANDSCAPING

A. "Grass and sod may be removed from front yards, side yards on a corner and parkways provided not more than 50% of the area is covered with gravel or other masonry."

Regarding the above sentence, Commissioners and Staff discussed:

- 1. a possible percentage reduction provided property owners submit a pleasing landscape plan;
- 2. due to high water bills, property owners stop watering, yards and parkways become weeds and dirt;
- 3. older property owners unable to maintain their yards;
- 4. rockscape and how to determine 30% of a 2" caliber tree;
- 5. tree canopies should be classified under vegetative cover;
- 6. consider third category plants at mature growth the other 50%;
- 7. allow brick parkways;
- 8. EPA calculation based on plant size and quantity;
- 9. City Code Compliance and how plant coverage is calculated under the EPWU-PSB **SWPPP**; and
- 10. Staff project modify existing landscape ordinance from 7.5% of the lot to 15% for commercial properties.

Staff will research various coverage percentages, various percentages of tree maturation and prepare sketch ups for Commissioners.

- **B.** Revise the following sentence to include "and driveways".

 ***Except for walks and driveways, concreting of lawns is not recommended.
- C. "Manhattan Heights, Sunset Heights, and Old San Francisco historic districts are also in the National Register of Historic Places."

It was determined that the language would be removed from this Section; however, inserted in an Administrative Review Guidelines introductory paragraph.



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D. Revise the following sentence to include "for the Treatment of Historic Properties".

The Secretary of the Interior's Standards for the Treatment of Historic Properties recommend preserving streetscape, and landscape features which are important in defining the overall historic character of the neighborhood.

9. SOLAR RADIATION

Staff will update the graphics.

A. INORGANIC MATERIALS

- 1. After the first sentence of the paragraph, insert the following:

 *****Grass and sod may be removed from front yards, side yards on a corner
 and parkways provided not more than 50% of the area is covered with
 gravel or other masonry."
- 2. Delete SUGGESTED LIST charts for Small Trees, Medium Trees, Large Trees, Ground Cover, Shrubs, and Flowers.

Commissioners suggested Staff note six or seven different regional sources where property owners can get information on plants.

Commissioner Guzman requested the Italian Cypress tree be referenced.

3. NOTE: underneath SUGGESTED LIST – FLOWERS chart
Staff explained the language requests property owners not block
right-of-way visibility and that they must get approval from the
Department of Traffic and Transportation.



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Commissioner Fernandez wondered if a graphic be beneficial. *Staff will prepare a sketch up.*

4. Examples of landscaping for desert climates

Vice-Chair Gardea noted the graphic indicates the parkway is excluded from the 50% requirement. The language above does not indicate same. One or the other should be corrected.

Commissioner Guzman requested a 100% coverage available if the materials, i.e., gravel, mulch, are removal.

10. FENCING

- **A.** Revise the third sentence, first paragraph to include "stucco." *Brick,* stucco, stone and wrought iron, are generally acceptable materials but each case should be decided individually.
- **B.** Specify what the *maximum* height should be.

Mr. De La Cruz explained the Code originally allowed fencing to be six feet from the front of the house back; typically this is fencing for the side and back yards of the property. The ordinance was rewritten to allow for an eight foot masonry or wood fence. Staff can only approve six feet, anything above that must come before the HLC. By ordinance, property owners are allowed eight foot masonry or wood fences.

In lieu of cinder block, Commissioner Booher asked Staff if property owners could install concrete masonry units.

Staff can approve cinder block as long as it is stuccoed.



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C. After the first sentence, second paragraph insert the following:

"PVC, aluminum, and other contemporary alternative wall or fence materials are generally not allowed in the historic districts. However, the applicant may provide a drawing, photograph and samples of proposed materials for review by the HLC under the standard HLC review procedures."

Staff requested revising the proposed language as follows: ... "However the applicant may submit a proposal to the HLC for the HLC's review, consideration, and possible approval.

Chair Riccillo preferred Vice-Chair Gardea's verbiage.

D. RECOMMENDED FENCING BY DISTRICT (Chart)

Chair Riccillo suggested Staff insert a **NOTE**: under the table: "These are typically recommended fencing by the district to be determined on a case by case basis based on materials compatible with the architecture."

11. SECURITY GRILLS

- **A.** Staff will revise department name and location throughout the document.
- **B.** Revise the last sentence of the last paragraph to include "so that a fire fighter can gain access to the interior of a home."

 This is a precautionary measure in case of fire so that a fire fighter can gain access to the interior of a home.
- C. SECURITY GRILLS, 2nd page Staff will insert "COMMERCIAL" heading.



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D. First bullet, add the following language:

"If the roll up screen cannot be concealed by an awning, the proposed design shall be reviewed by the HLC under the standard Certificate of Appropriateness procedures."

Staff will update the security grills graphics.

12. ACCESSIBILITY FOR THE DISABLED PERSONS

- A. Vice-Chair Gardea requested Staff spell out American Disabilities Act.
- **B.** In the title, Commissioner Fernandez suggested the language read "Accessibility for People with Disabilities."
- C. In the title, Commissioner Booher suggested the language read "Accessibility for Persons with Special Needs."
- D. Delete the first sentence, second paragraph: It is recommended that ramps be designed and placed where they will do the least amount of change to the historic fabric, especially the street elevation.
- **E.** Staff will revise department name and location throughout the document.

13. SKYLIGHTS

See page 2



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14. SIGNS

A. Revise the first sentence, first paragraph to include "or building façade." "Sign" means any outdoor display surface, structure, search light, banner, pennant, balloon or other device visible to vehicular or pedestrian traffic on a public right-of-way or building façade and used to direct attention to any business, product, commodity, entertainment or service, whether by means of words, letters, numerals, trademarks, pictures, designs, objects, or by any other means."

B. SIZE

Mr. De La Cruz explained, per the Code, commercial property signs are limited to 30 square feet. Property owners may submit a request for a $12'' \times 30'$ wide sign, as long as it does not cover any architectural features and complies with the requirement. Per the Code, residential properties, with home occupancy permits, may have a $12' \times 12'$ sign.

Add the following "in relation to the size of the building or proportionate to the size of the building."

SIZE – Signs shall not exceed thirty square feet in all commercial and manufacturing districts, and should not exceed six feet in height in relation to the size of the building or proportionate to the size of the building.

B. ILLUMINATION/MOTION

Mr. De La Cruz will review Title 20.18 to verify whether or not *Twirling* and/or revolving signs are prohibited is noted in the Code. He noted the sign industry has moved to LEDs.



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Ms. Velazquez commented on reverse channel letters with LED lights.

Staff and Commissioners commented on indirect illumination, box light/internal illumination, Dark Sky ordinance, backlit signs, permitted neon signs, For Sale signs (realtor), and banners as temporary (10-day) signs.

Commissioner Guzman explained, per the Sign Ordinance, real estate signs do not need permits.

Commissioner Berchelmann requested the matter be further discussed at the next HLC meeting.

C. LEDs

Ms. Velazquez asked if Commissioners would allow LEDs.

Commissioner Booher thought LEDs should be allowed.

Chair Riccillo suggested "LEDs are permissible if accepted by the Historic Landmark Commission." He later requested Staff leave the language as is, to be determined by a future HLC.

D. AWNINGS

Ms. Velazquez explained City Council is reconsidering the use of awnings in the downtown area.

Vice-Chair Gardea commented on requiring approval of a Special Privilege.

Mr. Almonte explained awnings require a Special Privilege permit and Special Privilege permits are approved by City Council.



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AWNING CONDITIONS

Commissioner Berchelmann suggested the following language: "Awnings must be well maintained so that they do not fall into disrepair."

Ms. Velazquez requested the following additional language: "Awnings cannot remove, damage, destroy, alter or hide architectural decorative or historic fabric."

E. BANNERS

Add the following language to the **BANNERS** definition language: "Banners must follow the current city code."

BANNERS – Permanent banners are prohibited. Provisional banners may be used for a period not to exceed 10 days for grand openings and charitable functions only. Banners must follow the current city code.

Banners inside the glass are permissible.

15. DOORS

A. GARAGE DOORS

Revise second bullet language as follows:

"Garage doors facing the front or side street may be replaced with overhead doors that are modified with dimensional trim to simulate original door components."

B. EXTERIOR DOORS

Second paragraph, revise the language as follows:

"Wherever possible, original doors should be retained. This includes glass lights, original hardware such as doorknobs, hinges and pulls. Do not widen doors and door openings or attempt to install new doors or door openings on exterior walls of the original structure.



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Third paragraph, revise the language as follows:

"Wherever existing doors are beyond repair, new ones should be installed. New doors should match original materials and should also be similar in design. Slab doors are not recommended."

Commissioner Guzman clarified property owners may widen doors and door openings; however, they must first come before the HLC.

Regarding the language "Slab doors are not recommended." Ms. Velazquez asked Commissioners if property owners could install vinyl and fiberglass doors.

Commissioner Guzman responded as long as there is texture in the look.

Commissioner Berchelmann suggested including the same language under garage doors.

Vice-Chair Gardea commented on cheesy doors.

Rather than "Slab doors are not recommended." Ms. Velazquez suggested "Doors must reflect the period of construction of the building and materials, as long as it matches."

Commissioner Booher suggested including "in look and construction." to the end of the sentence.

Third paragraph revised as follows:

"Wherever the existing doors are beyond repair, new ones shall be installed. New doors should match original materials and should also be similar in design. Doors must reflect the period of construction of the building and materials, as long as they match in look and construction."



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16. DRIVEWAYS AND WALKWAYS

Vice-Chair Gardea asked Staff if ribbon driveways were allowed per the City Code.

Ms. Velazquez thought that they were. Regarding a recent case with a circular driveway, she explained, Staff recommended a ribbon driveway with landscape.

Commissioner Guzman remembered driveways were not included in the new Subdivision Ordinance language. He asked Staff if they would research that for him.

17. PARKWAYS

Staff will update the appropriate City Department and City Code Section information.

Commissioners and Staff discussed the 50% impervious surface requirement for parkways.

Commissioner Guzman was uncomfortable with property owners having parkways that are all concrete.

First sentence, third paragraph revise the language as follows: "Not more than 50% shall be impervious surfaces; the rest shall be vegetative cover."

Staff will create new graphics explaining acceptable materials and proportions.

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18. WINDOWS

A. Add the following language between the current first and second paragraphs:

"The repetition of windows in the façade of a building establishes a pattern which is sensed by a person observing a building. Architectural elements such as windows contribute to the pattern and rhythm of historic districts. New construction and additions should maintain and reinforce the existing pattern."

Ms. Velazquez suggested including the following;

"Windows can make up 50% or more of the façade which is why they are incredibly important. They are character defining features."

Commissioners agreed.

B. Revise third paragraph language as follows:

"Windows should be repaired rather than replaced. In most cases this will simply entail removing old paint, installing new weather stripping, and then repainting. If windows are damaged beyond repair, replacement windows should match the size, thickness, configuration, type, style, material, finish, and operation of the original. Replacement wood or metal-clad wood windows that meet these requirements may replace original windows that are beyond repair. Do not infill, cover and/or widen window openings. It is the intent of these design guidelines that replacement windows match the appearance, materials, design, color, texture, and other visual qualities of the existing windows."

Ms. Velazquez requested adding the word "operation."



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C. REPLACEMENT WINDOWS

Due to cost, Ms. Velazquez explained a number of property owners are requesting vinyl windows. She explained replacement wood windows are much more expensive than vinyl windows. Staff typically allows property owners to replace windows with vinyl windows as long as the windows function, look like the original window and match the configuration, operation, finish, type, style, etc., and still be compliant.

Vice-Chair Gardea does not believe aluminum windows would match the size, thickness, etc., of the original wood window. He commented on an aluminum window's inability to match the wood window configuration, for example 6 over 1. Window replacement is up to the local community, in this case, this Commission; however, the Federal Government requests that the replacement windows closely match, in appearance and materials, the original windows.

Commissioner Guzman requested Staff research cost/cost benefit/why we should not use aluminum or plastic windows with scientific-fact based bullets, for example, argon gas will evaporate after 10 years.

Additionally, Commissioner Guzman suggested Staff insert a Replacement Guide side bar.



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Chair Riccillo asked Commissioners is there enough selection of materials for property owners to replace windows with historically adequate or comparable design that would not deter from the look of the home, for example, energy efficiency. If it is financially overbearing, property owners may come before the HLC.

Commissioner Fernandez concurred with Vice-Chair Gardea. She stated Austin and San Antonio ordinances do not allow property owners to change the type or material for replacement windows.

Commissioner Booher noted property owners purchasing a home in a historic district are aware of the amount of integrity, responsibility and cost associated with maintaining a historic property.

Vice-Chair Gardea clarified a number of major wood window manufacturers manufacture insert replacement windows and the only thing that needs to be removed is the sash. He was curious how much sashes cost.

Chair Riccillo requested Staff place an item on the next HLC agenda. He requested Commissioners email any cost benefit information to Ms. Velazquez.

Ms. Velazquez asked if Commissioners are willing to compromise by requiring wood replacement windows on the primary façade and vinyl or other material windows on the second façade, except for corner properties.



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18. COLORS

Last sentence, second paragraph, Ms. Velazquez would like to add the following clarifying language:

"Masonry, unless stucco, does not require painting. If the property owner insists on painting, the request must come before the HLC."

Chair Riccillo noted there are sealers now, some without the gloss.

Staff will update all references to the Code and Sections.

Regarding the **RECOMMENDED COLOR CHART BY STYLE**, Ms. Velazquez noted the chart is confusing, no explanation for gray shaded areas.

Commissioner Booher suggested revising contrasting to read complimentary.

Commissioner Guzman commented on major paint manufacturer's historic color palettes.

Chair Riccillo referred to the Secretary of Interior's acceptable colors.

Staff will research Commissioner Guzman and Chair Riccillo's suggestions.

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- 2. Addresses of property HLC Commissioners have requested that HLC staff review or investigate and provide a report to the HLC. If no addresses are submitted in advance and listed under this agenda item, Commissioners may announce such addresses under this agenda item. Discussion on property announced at this meeting will take place during the next regularly scheduled meeting. August 22, 2011 deadline for HLC members to request for agenda items to be scheduled for the September 12, 2011 meeting. September 12, 2011 deadline for HLC members to request for agenda items to be scheduled for the September 26, 2011 meeting.
 - **A.** Magoffin Villas at 915, 917, 1001 Magoffin Avenue and 1000, 1008, 1010 Myrtle Avenue
 - B. Fall Mansion at 1725 Arizona Avenue
 - C. Houston Elementary at 2851 Grant Avenue

MOTION:

Motion made by Chair Riccillo, seconded by Commissioner Berchelmann and UNANIMOUSLY CARRIED TO APPROVE THE AGENDA SKIPPING THE OTHER ITEMS OTHER THAN ITEMS 1., 3., AND 6.

HLC Staff Report

3. Update on Administrative Review Cases since last HLC meeting for the properties listed on the attachment posted with this agenda. (See Attachment "A")



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Planning & Economic Development Department Reports

4. None

MOTION:

Motion made by Chair Riccillo, seconded by Commissioner Berchelmann and UNANIMOUSLY CARRIED TO APPROVE THE AGENDA SKIPPING THE OTHER ITEMS OTHER THAN ITEMS 1., 3., AND 6.

Visionaries in Preservation Report

5. None

MOTION:

Motion made by Chair Riccillo, seconded by Commissioner Berchelmann and UNANIMOUSLY CARRIED TO APPROVE THE AGENDA SKIPPING THE OTHER ITEMS OTHER THAN ITEMS 1., 3., AND 6.

MOTION:

Motion made by Chair Riccillo, seconded by Commissioner Guzman and UNANIMOUSLY CARRIED TO MOVE ITEM 6 TO THE NEXT AGENDA AND ADJOURN THE MEETING.

Other Business

- **6. A.** Approval of Historic Landmark Commission Meeting Minutes for August 8, 2011.
 - **B.** Approval of Historic Landmark Commission Special Meeting Minutes for August 11, 2011.
 - **C.** Discussion and action on application review regarding demolition changes. (Pending determination from the Legal Department)



Two Civic Center Plaza El Paso, TX 79901 (915) 541-4027

08/22/2011 HLC Minutes 20 of 21 Mayor John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3 Emma Acosta

District 4
Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8

Cortney Carlisle Niland

SERVICE SOLUTIONS SUCCESS



D. Discussion on the Downtown Historic District Design Guidelines.

No further discussion from the Commissioners.



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City Manager Joyce A. Wilson



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